

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA

Plaintiff,

v.

Criminal Case No.: 5:15–CR–67-2
(BAILEY)

TAMMY BAMBERGER,

Defendant.

REPORT AND RECOMMENDATION TO DENY MOTION AS MOOT
–AND–
ORDER VACATING ORDER SETTING HEARING

On April 12, 2016, counsel for Defendant, Douglas Sughrue, advised the Court that Defendant has entered into a plea agreement with the Government. Accordingly, counsel further advised, that the pre-trial motions hearing set for Monday, April 18, 2016, is no longer necessary.

Therefore, it is **RECOMMENDED** that [ECF No. 35] Defendant Tammy Bamberger's Motion to Suppress be **DENIED AS MOOT**.

Further, it is **ORDERED** that the portion of [ECF No. 39] the Amended Order Granting Second Motion to Continue Trial and to Extend Deadlines setting the hearing on pretrial motions for April 18, 2016, at 9:30 a.m., is hereby **VACATED**.

DATED: April 13, 2016

/s/ James E. Seibert
JAMES E. SEIBERT
U.S. MAGISTRATE JUDGE